

Message Text

SECRET

PAGE 01 SANTIA 01128 180037Z
ACTION SS-25

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-----082674 180041Z /65
O 172137Z FEB 78
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC IMMEDIATE 8196

S E C R E T SANTIAGO 1128

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EXDIS

FROM AMBASSADOR

E. O. 11652: XGDS-1
TAGS: OGEN, CI
SUBJECT: LETELIER-MOFFITT ASSASSINATION INVESTIGATION

REF: STATE 42100

1. I CALLED ON FOREIGN MINISTER CARVAJAL THIS AFTERNOON TO CARRY OUT THE INSTRUCTIONS IN REFTEL. I TOLD CARVAJAL THAT AMBASSADOR CAUAS HAD BEEN SUMMONED TO THE STATE DEPARTMENT TO SPEAK WITH DEPUTY SECRETARY CHRISTOPHER AT APPROXIMATELY THE SAME TIME. I THEN OUTLINED IN DETAIL FOR THE FOREIGN MINISTER THE TALKING POINTS CONTAINED IN PARA 5 OF REFTEL.

2. I PROCEEDED TO REVIEW WITH CARVAJAL THE LETTERS ROGATORY PROCEDURE THAT WOULD BE FOLLOWED. DRAWING UPON THE EXCERPTS FROM THE TEXT OF THE COVERING LETTER, THE DISTRICT COURT'S "REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE" AS OUTLINED IN PARA 4 OF REFTEL. I INFORMED CARVAJAL THAT THE REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE WOULD BE IN THE PUBLIC RECORD.

3. IN RESPONSE CARVAJAL MADE TWO POINTS:

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-- FIRST HE SAID THAT HE WAS HAPPY THAT THE USG WAS NOW FOLLOWING

THE NORMAL AND CORRECT PROCEDURE OF LETTERS ROGATORY. HE DISAPPROVED OF PREVIOUS EFFORTS BY U.S. ATTORNEY PROPPER TO TAKE EVIDENCE DIRECTLY FROM CHILEANS BY USING VERY QUESTIONABLE METHODS, NOTING THAT AT ONE POINT HE FINALLY HAD TO SEND THE LEGAL ADVISER OF THE FOREIGN

OFFICE TO WASHINGTON TO SUGGEST TO ATTORNEY PROPPER THAT LETTERS ROGATORY BE USED.

-- CARVAJAL SEIZED UPON THE CONTENT OF THE COVERING LETTER WHICH WOULD BE IN THE PUBLIC RECORD, STATING THAT INEVITABLY THE PRESS WOULD PLAY UP SUCH MATTERS AS ALLEGED FALSE PASSPORTS TO PREJUDGE THE GOC'S GUILD.

4. IN RESPONSE I INFORMED THE FOREIGN MINISTER THAT JUDICIAL PROCEDURES REQUIRED THAT THE DISTRICT COURT'S "REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE" BE MADE PART OF THE OPEN COURT RECORD.

5. CARVAJAL RETURNED TO HIS BASIC POINT THAT HE APPROVED AND WAS HAPPY WITH THE LETTERS ROGATORY PROCEDURE. HE SAID THAT THE LETTERS WHEN RECEIVED WOULD BE DEPOSITED WITH THE INDICATED CHILEAN COURT WHICH WOULD DEAL WITH THE MATTER AS APPROPRIATE AND THAT WE COULD COUNT ON HIM AND THE COURT'S COOPERATION.

6 I THANKED CARVAJAL FOR HIS POSITIVE RESPONSE AND EXPRESSED THE HOPE THAT OUR TWO GOVERNMENTS COULD PURSUE THE MATTER TO ITS CONCLUSION.
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